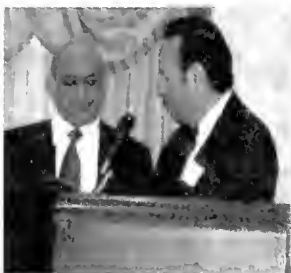




Bulletin

of the Mahoning County Medical Society
November - December 2004

ANNUAL MEETING



*Chander M. Kohli, MD
Distinguished Physician*



International Dinner



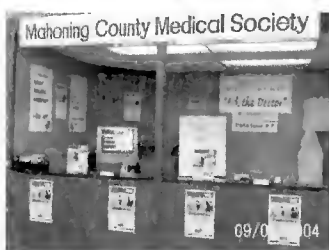
*Florence Wang
"Gem of the Year"*



2004

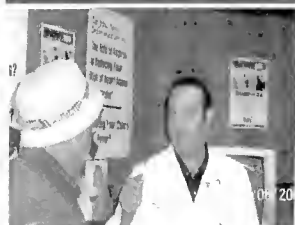
WHERE DOES IT HURT?

Frivolous lawsuits are hurting
health care *right here* at home.



Ask your doctors who they'll vote for this November.

WHERE DOES IT
HURT? .org



Bulletin

Editor Thomas S. Boniface, MD
Managing Editor Karyn Frederick
Editorial Board

Marc Saunders, DO Daniel Handel, MD

The Bulletin is published bimonthly by the
Mahoning County Medical Society, 7355 California Avenue, Suite 3,
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Correspondence and changes of address should be mailed to the above address.

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CALENDAR

January 25, 2005	Annual Meeting, Holiday Inn Boardman
February 23, 2005	Sixth District Winter Caucus, Salem Golf Club
March 18, 2005	International Dinner, Youngstown Country Club
May 20 ~ 22, 2005	OSMA Annual Meeting, Cleveland
May 24, 2005	Society Dinner Holiday Inn, Boardman
Aug. 31 ~ Sept. 5, 2005	Canfield Fair
September 27, 2005	Society Dinner Holiday Inn, Boardman

Visit us on the web at
www.mahoningmed.org

or

www.wheredoesithurt.org



Frivolous lawsuits are hurting
health care right here at home.



Happy Holidays



From the President

by Marc S. Saunders, DO

You did it! You got down in the trenches, talked to your patients, and helped our candidates win all three Ohio Supreme Court seats. Congratulations to all on a job well-done. Has it lowered our malpractice insurance premiums? No, but...

We now have all the pieces of the puzzle in place to test our recent tort reform legislation in the chambers of the Supreme Court. We still need to find the right cases to bring to Columbus, but it will happen, and likely within the current Supreme Court term. What about this idea they had in Texas? Why can't we bring about a vote statewide to have a constitutional amendment for tort reform so we don't have to keep fighting to elect a court

every few years? Wouldn't a constitutional amendment automatically make tort reform constitutional? Yes, but...

It's going to cost at least \$10 million to try it and the vote may not go our way. ... There can always be another vote on an opposite amendment (it can be repealed). ... What happened in Florida this year can happen in Ohio. O.K., maybe you don't know what happened. Florida's voters passed their tort reform amendment. Great, right? Yes, but...

In response to this amendment, the Florida trial lawyers brought their own referendums to the ballot, both of which were passed. Now, because of these two referendums, there will be an online public database that shows every Florida doctor's malpractice history, and now there's a "three strikes-you're out" rule. Lose three malpractice judgments in Florida and you also lose your Florida medical license. Permanently. In my opinion, we don't need to risk having Ohio's trial lawyers bringing the same questions to our voters. I think we have enough in place now to bring down our rates. We have the laws, we have the court; now we just have to get the two together. All it will take is the right case.

The simplest way to get a case heard is if a plaintiff from out of state sues an Ohio doctor. Ohio is bordered by five states. If someone from PA, W. VA, KY, IN, or MI sues an Ohio doctor, it becomes a federal case. The federal courts always refer the case to the state supreme court to verify the tort rules in the state of jurisdiction, so the Ohio Supreme Court would have to review the new laws and declare them constitutional. So, if anyone reading this has a case or knows of a case (obviously a PA plaintiff is the most likely for us), contact the Mahoning County Medical Society or the OSMA.

This will be my last column as President of the Mahoning County Medical Society. It has been an honor to represent you and work for our common good and the welfare of our patients. As a final request, I urge any member having an interest in the welfare of medical practice in our area to come forward and ask Karyn Frederick, our Executive Director, how you can become more active. The medical society is active and working hard to make the practice of medicine in the valley better. Volunteer to be on the MCMS council. Ask your colleagues who aren't already members to join. The practice of medicine can always use a transfusion of new blood. Thanks for all your support these past two years. Thanks to our work we've started to change the mindset of the patients and the courts of Ohio. I hope to be able to continue the "Where Does It Hurt?" campaign next year to help enact some more legislation. It's been a pleasure working for you and with you.

No "buts" about it.



Anecdotal Evidence

I recently had the opportunity to attend a conference at NEOUCOM which was part of a series of meetings between the leadership of the college with representatives of all parties involved in some way with the malpractice situation in Ohio. This group had previously been addressed by physicians, attorneys, and legislators, each detailing their respective part of the story, and perhaps thereby lending a greater understanding of the problem so that a comprehensive approach to its solution may follow. This particular session featured Ms. Ann Womer Benjamin, the Director of the Ohio Department of Insurance, who was to explain her role and the involvement of the ODI in the malpractice industry in our fine state. Surely if anyone has a perspective on this, it would be someone in her position. (Don't hold your breath.)

After providing us with some background on the relatively recent recognition by the ODI and the state legislature of the problem, she reviewed the steps taken thus far to address it. She then reviewed statistics on a local, regional, and statewide basis. She noted that the recent successful re-election of justices friendly to tort reform should help, since states with "hard cap" limits (which Ohio does not have) for the last 25 years are seeing better rates. My grandchildren will be glad to know that. Ms. Benjamin then explained, with her extensive experience as a legislator, how things happen (or don't) in the statehouse, then detailed specific roadblocks to just about every solution one might conceive. For instance, many potential remedies such as arbitration boards, no-fault plans, and waivers of liability, all used to good effect in other service industries, have "serious constitutional problems in our state." We might, however, work with the constitutional expert in the Senate who might help us get by that problem. In fact, he's from Youngstown – Marc Dann, formerly of Betras and Dann. So much for that idea.

Expanding on the issue across the state, it turns out that this is only seen as a problem in the northeast sector. Stark County is the worst, with Cuyahoga and Mahoning about tied for second. Evidently the cities of Columbus and Cincinnati are not seeing this in the same light. Statistically, our state is not experiencing any significant loss of physicians, nor are patients having ultimate problems in receiving care. Ms. Benjamin repeatedly referred to our tales as "anecdotal evidence". This includes physicians near and dear to me who have closed their practices or cloistered themselves into hospital based positions, physicians who have left the state or gone into other businesses, and many others who have limited their practice to low-risk aspects of care only. To the ODI, this also includes hospitals which have closed entire maternity departments, which we recognize as due to having no OB practices in their vicinity, but to the ODI this is due to a lack of profitability for the hospital. It's hard to make a profit delivering babies when there are no physicians bringing mothers there to be delivered. About the only thing not anecdotal to her is the "very strong trial lawyer lobby" we have in Ohio.

When queried on the specifics of the ODI and its potential involvement in our future endeavours to resolve this crisis, Ms. Benjamin went on to skillfully speak without actually answering any of the questions posed, as only a skilled politician can. I can see why Gov. Taft gave her this position. In all fairness, however, she is working for him, and for the state as a whole. On the whole, the problem across the state is just not that big, and elections aren't decided in the northeast anymore.

My conclusion after this session was that we will be unable to provide the ODI, the governor, or the legislature with enough objective data to support our claims and convince them of our plight. We are simply too few, in too small a part of the state, with too little representation to change the skewed fundamentals of Ohio law in our favor. This game is primarily played by and for the lawyers, its rules are created and modified by their cohorts, and it is overseen by ineffective administrators working for politicians more interested in votes than what is right. We are unwilling but mandatory participants in the game. I suggest again that we find a way out of the game rather than waste our time and efforts with the kind of people found at the ODI and the statehouse.

A handwritten signature in cursive script, reading "T S Boniface MD".

CHANGES TO DIRECTORY

Please make the following changes to your 2004 Membership Directory:

Change of Address:

Timothy J. Hunter, MD
540 Parmalee Ave.
Suite 510
Youngstown, OH 44510
Phone: 330-744-2218
Hospital Affiliation: St. Elizabeth Health Center

Effective January 1, 2005
Anthony Mehle, MD
Dermatology Centre of Northeast Ohio
960 Windham Court, Suite #2
Youngstown, OH 44512
Phone: 330-758-8866
Fax: 330-758-4051

Effective mid-January 2005
James Armile, DO
8262 South Avenue
Youngstown, OH 44512
Phone: 330-726-8687
Fax: 330-726-8548

Tracy Neuendorf, DO
1011 Boardman-Canfield Rd.
Youngstown, OH 44512
Phone and fax remain the same

Dr. Robert Marx - called to active military duty
Dr. Eric Gross - dropped membership
Dr. Raymond S. Boniface - Retired

Radiology Consultants, Inc.
Hospital affiliation - Forum Health
Drs. Steven Aubel, Richard Barr, Asad Azarvan, Wayne Burick, Daniel Laufman, Jae J. Lee, Patrick Cestone, Rani Krishnan, Stephen Muehlenbein, Mehdi Soleimanpour

2005 MEMBERSHIP DUES

2005 membership dues are payable by December 31, 2004. If you have not already paid your dues, please do so ASAP. Remember, you must belong to both the county and the state associations. If you have questions about your dues statement, or if you haven't received one, please call the Society office.



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Rheumatology

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Youngstown, OH 44505

Medical Education: University of Cairo, Cairo, Egypt
Internship: St. Elizabeth Health Center, Youngstown, OH
Residency: St. Elizabeth Health Center, Youngstown, OH
Residency: MetroHealth Medical Center, Cleveland, OH

Albert J. Cook, II, MD
Radiology

Ohio Imaging
1930 State Rout 59
Kent, OH 44240

Medical Education: Northeastern Ohio Universities College of Medicine
Internship: University of Wisconsin, Madison, WI
Residency: University of Wisconsin, Madison, WI
Fellowship: University Hospitals of Cleveland, Cleveland, OH

In Memoriam

Ulrich Boening, MD

June 15, 1922 - November 12, 2004

Gene D. Fry, MD

November 22, 1920 - November 24, 2004

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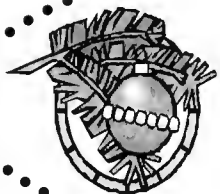
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MEMBER BENEFITS

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Currently less than 5% of physicians use electronic medical records (EMR). If you are not in this 5%, you are probably tracking your diagnostic tests and referrals manually. ODT3 Plus will allow your practice to concentrate on other important tasks, confident that diagnostic tests and referrals have been done, results have been returned, and the patients have been notified.

The Mahoning County Medical Society has partnered with ODT3 Plus to provide *significant* discounts to MCMS members who choose this innovative diagnostic test and referral tracking tool. More information will be sent to all members in January. For more information about this new member benefit, go to www.odt3.com.

Saleationships (ODT3) is also a reseller of complete practice management/EMR solutions, as well as providing electronic claims and statement processing, consulting services, and other products and services that provide demonstrated, measurable results to your bottom line. ODT3 was recently awarded the 2004 Emerging Technology Award in Ohio by Gov. Taft.

We are confident that this new risk management tool will be of value to you and your office personnel, providing you peace of mind in knowing that your diagnostic tests and referrals are being tracked 24/7, 365 days a year.

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This program is being offered to Mahoning County Medical Society members only. Here are the details:

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* This is a "retail" or "swiped" (card present) rate. The average ticket of each physician's office will determine the amount of the transaction fee. The transaction fee schedule is:
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2005 MEMBERSHIP DIRECTORY

Based on the successful collaboration of the three county societies in the "Where Does It Hurt?" media campaign, it has been decided to combine Mahoning, Trumbull and Columbiana County medical societies into one membership directory for 2005. This tri-county directory will not only be a more useful tool for patients and hospitals in the three counties, but it will also give physician members the opportunity to list offices they may have in the other counties.

Please take a moment to complete the directory information form below and return it to the MCMS. If you have more than two offices, please feel free to list all offices in the tri-county area. For those members who do not return an updated form, we will use the information from the 2004 membership directory. We will also be offering members the opportunity to have an updated photo taken for the directory. You will be notified of the dates, location and times of the photo shoots, or, if you have a recent photo that you would like us to use, please send it to the MCMS with the completed directory information form.

We are anticipating the directory going to print in early March. Only those Active members whose 2005 dues are paid in full at that time will be included in the directory. If you have not already paid your membership dues, please do so to avoid being left out of the directory.

2005 MEMBERSHIP DIRECTORY UPDATE

Please complete the form below and return it to the Mahoning County Medical Society by fax (330-758-1805) or by mail, 7355 California Ave., Youngstown, OH 44512, no later than January 31, 2005.

Physician Name _____

Practice Name (if applicable) _____

Primary Specialty _____

Board Certified ☐ Yes ☐ No

Primary Office Address _____

Phone _____ Fax _____

Secondary Office Address _____

Phone _____ Fax _____

Website _____ Email _____

2005 ANNUAL MEETING

The 2005 Annual Meeting of the Mahoning County Medical Society is scheduled for Tuesday, January 25, 2005, at the Holiday Inn, Boardman. Notices will be sent to all active, retired and resident members in early January.

Two members of the MCMS, Dr. George Dietz and Dr. Arthur Whittaker, will be honored by the Ohio State Medical Association for 50 years in medicine. The 2004 Distinguished Physician Award will be presented to Dr. John J. "Jake" Turner at the meeting. Mark your calendar and be sure to attend this special event.

Election and installation of officers and Council will also be conducted at the Annual Meeting. The slate of candidates for 2005 is as follows:

President Ronald M. Yarab, MD
President-elect OPEN
Secretary/treasurer Janardan Tallam, MD

Delegates to the OSMA:

Eugene Potesta, MD
Marc Saunders, DO
Janardan Tallam, MD

Alternate Delegates to the OSMA:

Robert DeMarco, MD
Chris Knight, MD
Ronald Yarab, MD

Council at Large:

Beverly Atwater, DO
Dean Ball, DO
Richard Nord, MD (one year unexpired term)
Open seat - one year unexpired term

Foundation Trustees:

Rashid Abdu, MD
Conner White, MD

Website Redesign Is In the Works

In conjunction with the 2005 membership directory project, the MCMS is also undertaking the redesign of our website. The website, www.mahoningmed.org, has not been changed for several years. With the help of Prodigal Media, who designed the Where Does It Hurt? website, www.wheredoesithurt.org, the MCMS is hoping to make the website more useful for the public, as well as offering a "members-only" section where MCMS members can access practice management information, view and sign up for member benefits and possibly even post messages for other members.

Do you have ideas about what would make the website more useful for you and your staff? We would love to hear your ideas. You can comment via phone (330-758-1624), fax (330-758-1805) or email (mcms1872@sbcglobal.net). Let us hear from you!

2004 - 2005 Resident Members

St. Elizabeth Health Center

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Udita Apte, MD
Anand Chikyarappa, MD
Dominic Conti, DO
David Dyck, MD
Rajashree Gottimukkula, MD
Michael Hsu, MD
Theresa Huyen, MD
Seong-Joo Jeong, MD
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Jeffrey Kempe, MD
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James O'Bryon, MD
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David Regule, MD
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Sheetal Mangalat, MD
Jennifer Manning, DO
Sameh Morkous, MD
Veronica Rueda, MD
Nibha Saxena, MD
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Steven Swain, MD
David Thomas, DO
Saleem Umar, MD
Melissa Valantine, MD
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